IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

WRIT PETITION NO. 357 OF 2002

BETWEEN

1. Dr. Ashok Sharma S/o Late Shri Parmeshwar Lal Sharma, aged about 46 years, Working as Ayurved Medical Officer, Government Ayurved Hospital Jamgaon .

2. Dr. Sunil Kumar Golhani S/o S.K.Golhani, aged about 40 years, Working as Ayurved Medical Officer, Government Ayurved Hospital Kachhe, District Kanker.

3. Ku. Sapna Parte D/o Shri G.S.Parte, aged about 26 years, Working as Ayurved Medical Officer, Government Ayurved Hospital Kewati District Kanker.

4. Ku. Champeshwari Dhruve D/o B.L.Dhruve, aged about 28 years, Working as Ayurved Medical Officer, Government Ayurved Hospital Bhaisa Kanhar, District Kanker.

5. Dr. Bachha Ram Naik aged about 32 years S/o Shri R.P.Sonwani, aged 32 years, Working as Ayurved Medical Officer , Government Ayurved Hospital Kodapakha District Kanker.

PETITIONERS

A N D

1. The State of Chhattisgarh,
Through the Secretary Department of Public Health and Family Welfare , D.K.S. Building, Raipur.

2. Collector Kanker,
District Kanker.

3. The Superintendent cum District Ayurved Officer Kanker, District Kanker.

4. The Director, Indian System of Medicine and Homeopathy Chhattisgarh, Raipur.

RESPONDENTS

R. No. 357 Presented by Shri ... dated ... 13.2.02

CERTIFIED COPY 13.2.02 BILASPUR

(5)

WRIT PETITION UNDER ARTICLES 227/227 OF CONSTITUTION OF INDIA

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(34)

आदेश पत्रक

मामला क्रमांक W.P.No.357/ सन् 2002

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	07.03.2002 Heard Shri Prashant Mishra, learned counsel for the petitioners and Shri Sanjay K. Agrawal, learned Deputy Advocate General for the respondents / State. Petition is disposed of on merits. The petitioners have in this petition sought for the following reliefs:- 1. That, this Hon'ble Court may kindly be pleased to direct the respondents to produce the relevant record which has resulted in passing of the impugned order Annexure P-3 for kind perusal of this Hon'ble Court; 2. That, this Hon'ble Court may kindly be pleased to issue a writ in the nature of certiorari quashing the impugned order No.Estha/2002/178-82, Kanker dated 07.02.2002 (AnnexureP-1) passed by the respondent No.3 in the form of wireless message;	

[पीछे देखिये

(35)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.No.357/ सन् 2002

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

3. That, this Hon'ble Court may kindly be pleased to issue a writ in the nature of certiorari quashing the impugned order No.1886-91 dated 06.02.2002 (Annexure P-2) passed by the respondent No.2 in the form of wireless message;

4. That, this Hon'ble Court may kindly be pleased to issue a writ in the nature of certiorari quashing the impugned order No.481/2002/Chik, Raipur (Annexure P-3) dated 05.02.2002 passed by the respondent No.1 and further circulated by the respondent No.4 vide No.1/Estha/2002/941-36, Raipur dated 06.02.2002 and

5. Any other relief, which this Hon'ble Court may deem fit and proper, may also be passed in favour of the petitioners together with cost of the petition.

Admittedly, the petitioners are holding the civil posts and hence, in view of the judgment in the case of L. Chandra Kumar Vs. Union of India and others, reported in (1997) 3 Supreme Court Cases-

[पीछे देखिये

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(36)

आदेश पत्रक

मामला क्रमांक WP.No.357/ सन् 2002

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -3-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

261, the petitioners have to approach the State Administrative Tribunal and this petition is not maintainable.

Accordingly, this petition is disposed of with liberty to the petitioners to approach the State Administrative Tribunal for appropriate relief.

Learned counsel for the petitioners submitted that the Tribunal may be directed to consider the application for interim order, if any, filed by the petitioners as expeditiously as possible.

The Tribunal is directed to consider the same, if such application is filed and pass appropriate orders as expeditiously as possible.

Parties are entitled for certified copy of this order.

Sd/-
Chief Justice

Subbu/Soma

[पीछे देखिये